



TENNESSEE UNDERGROUND UTILITY DAMAGE PREVENTION BOARD
Meeting on May 13, 2020

MINUTES

The board meeting of the Tennessee Underground Utility Damage Enforcement Board commenced at 10:00 a.m., via WebEx Telephonic Conferencing.

Board Members Present:

Rob Arnold
Earl Bolin
Doug Burgess
Wayne Hastings, Vice-Chairman
Bill Hollin
Eddie Hood
Stephanie Howell
Scott Niehaus
Bobby Pitts
Kevin Raley
Steve Raper
Kevin Tubberville, Chairman
Bill Turner

Board Members Absent:

Craig Jensen
Kevin Kruchinski

TPUC Staff Present:

Stacy Balthrop, Director of the Consumer Services Division
Kelly Cashman-Grams, General Counsel
Aaron Conklin, Legal Advisor to the TPUC staff
Ryan McGehee, Legal Advisor to the TUUDEB
Tim Schwarz, Director, Communications
Monique Brazelton
Chris Eaton

Members of the Public Present:

Craig Ingram

I. Opening of Meeting and Roll Call

Chair Tubberville opened the meeting referencing Governor Bill Lee's Executive Order No. 16 which suspended the requirement of a physical quorum allowing the board to conduct essential business during the state of emergency caused by COVID-19. Mr. Ryan McGehee took roll call.

II. Review and Adopt Board Meeting Minutes

The Board considered the Minutes of the last meeting of January 29, 2020. Mr. Bill Turner moved to approve the Minutes and after receiving a proper second from Mr. Pitts, the motion to approve the Minutes passed unanimously on a voice vote.

III. Program Update

A staff update and training program update was discussed. Mr. Aaron Conklin provided a report of the ongoing enforcement and show-cause proceedings. There were seventeen complaints in March, twenty in April, and eleven to date in May. Most of the enforcement items are on hold due to the suspension of compliance training classes during the pandemic.

IV. Rule Discussion, Upcoming Meetings, Legislation, and Finances

Mr. Conklin has been working on rules drafts. The Executive Committee is meeting on June 17th and the Board Meeting will occur on August 12th but will also depend on any executive orders issued by the governor. Mr. Tim Schwarz provided a legislative update. Mr. Chris Eaton gave a brief update on the latest Board expenses and was working on a summary to distribute to the board members.

V. Update of Training Program by Tennessee 811

Mr. Turner reported the training in March and April had to be cancelled. Since the beginning of the program, 382 individuals from 293 organizations have completed the training. For 2020, 33 individuals from 26 organizations were trained with 28 pending.

VI. Approval of Online Training Program for Violator Training

The Board discussed authorizing a temporary online training program for violators in the face of COVID 19 related public health measures requiring cancelation of in-person training. Mr. Steve Raper motioned to approve Tennessee 811's training proposal for online training as an alternative to in-person training review by the board at the August 12th or a future date in November with the requirement that 811 use restrictive logins or confirmation of IDs. This motion was seconded by Mr. Pitts and passed on a roll call vote will all present voting in favor. An opportunity for public comment was announced but no one sought recognition to do so. There will be elections for two positions on the Executive Committee during the August meeting. The Board meeting adjourned at 10:47 a.m.